

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Action No.
v.)	13-00440-01-CR-W-DW
)	
RONALD F. WHITE, JR.,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on July 2, 2014. Defendant Ronald White, Jr., appeared in person and with Assistant Federal Public Defender Anita Burns. The United States of America appeared by Assistant United States Attorney Joseph Marquez.

I. BACKGROUND

On December 11, 2013, an indictment was returned charging defendant with one count of possessing a street sweeper not registered to him in the National Firearm Registry, in violation of 26 U.S.C. §§ 5841, 5861(d) and 5871, and one count of possessing four firearms after having been convicted of a felony, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). On June 27, 2014, a superseding indictment was returned charging the same first count but amending the second count to allege possession of only one firearm and alleging that the firearm had been stolen, in violation of 18 U.S.C. §§ 922(j) and 924(a)(2).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Marquez announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Detective Loren Freeman, Independence Police

Department.

Ms. Burns announced that she will be the trial counsel for defendant Ronald White, Jr. Julie Eilers, Investigator, will assist.

III. OUTSTANDING MOTIONS

The following motions are pending for ruling by the district judge:

1. Motion in limine, filed by defendant on 6/12/14 (document number 20).
2. Motion in limine, filed by defendant on 6/12/14 (document number 21).

IV. TRIAL WITNESSES

Mr. Marquez announced that the government intends to call 15 witnesses without stipulations or 14 witnesses with stipulations during the trial.

Ms. Burns announced that defendant Ronald White, Jr., intends to call 1 witnesses during the trial. The defendant may testify.

V. TRIAL EXHIBITS

Mr. Marquez announced that the government will offer approximately 40 exhibits in evidence during the trial.

Ms. Burns announced that defendant Ronald White, Jr., will offer no exhibits in evidence during the trial.

VI. DEFENSES

Ms. Burns announced that defendant Ronald White, Jr., will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Ms. Burns stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are likely as to interstate nexus of firearm.

IX. TRIAL TIME

Counsel were in agreement that this case will take 2 to 3 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed March 5, 2014, counsel for each party file and serve a list of exhibits he or she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by July 2, 2014;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, July 9, 2014;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions¹ by or before noon, Wednesday, July 9, 2014. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. UNUSUAL QUESTIONS OF LAW

Motions in limine on the following issues will probably be filed: (1) Defendant suspected of home invasion and homicide, (2) Uncharged firearms. These two motions, which will be filed promptly, are opposed by the government.

There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on July 14, 2014.

¹Counsel in all cases assigned to be tried before Chief Judge Fernando Gaitan, Jr., as reflected in the forthcoming trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn_shawver@mow.uscourts.gov and rhonda_enss@mow.uscourts.gov by Friday, July 11, 2014. To the extent there are disagreements to certain instructions, each attorney shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.

Government counsel requests the second week of the docket due to incomplete DNA analysis and incomplete witness arrangements. Defense counsel is available both weeks but prefers the first week of the docket.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
July 2, 2014